

GOVERNMENT OF ANDHRA PRADSH
ABSTRACT

Public Servants – Health, Medical & Family Welfare Department – Surprise Check conducted on by the Anti Corruption Bureau officials Sri J. Suresh , Drug Inspector, O/o Drug Inspector, Eluru , West Godavari District on 27.4.2002 – Prosecuted – Punishment of dismissal from service – Imposed – orders – Issued.

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HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O.Ms.No.255

Dt:27-09-2012

Read the following:-

1. From the Director General, Anti Corruption Bureau, Hyderabad, Lr.No. 101/RCO-EWG/2002, dt. 24.5.2002.
2. From the Director General, Anti Corruption Bureau, Hyderabad, Lr.No. 101/RCO-EWG/2002, dt. 20.8.2004.
3. G.O.Ms.No.71 HM&FW (VC.1)Dept dt. 16.3.2006
4. Judgment dt.24.1.2012 of the Spl. Judge for SPE &ACB Cases, Vijayawada.
5. Order dt. 31.1.2012 of the Hon'ble High Court of A.P, Hyd., In CRLAMP.No.166 of 2012 in CRL No.90 of 2012 filed by Sri J. Suresh .
6. Interim Order dt.10.2.2012 of APAT in O.A.No.1102/2012 filed by Sri J.Suresh .
7. Representation dt. 20.3.2012 of Sri J.Suresh, Drug Inspector O/o Assistant Director, Drug Control Administration , Sangareddy , Medak Dist.

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On credible information the Anti Corruption Bureau officials conducted surprise check on 27-04-2002 at Railway Station, Eluru, and an amount of Rs.74,000/- was found in the brief case of Sri J.Suresh, Drug Inspector and an amount of Rs.8,700/- was found in possession of the Drug Inspector and his attender. The Attender admitted that the amount found in the brief case of the Drug Inspector pertains to the collection of inspection mamools. The Accused Officer was placed under suspension by the Additional Director General, Drugs and copy right, Drugs Control Administration, Hyderabad. Later on the interim orders dt.30.4.2003 of A.P.Administrative Tribunal in O..No.2326/03, Sri J. Suresh, Drug Inspector was reinstated in to service. Having regard to the facts of the case and material available, the Government have accorded sanction for prosecution of Sri J.Suresh, Drug Inspector in a Court of Law for the offences punishable under Sections 7, 11,13(1)(a) read with section 13(2) of Prevention of Corruption Act 1988 vide G.O.3rd read above.

2. The Special Judge for SPE & ACB cases, Vijayawada delivered the Judgment on 24-01-2012 in C.C.No.60/2007, convicting Sri Julapally Suresh, formerly Drug Inspector O/o. Drug Inspector, Eluru, West Godavari District (A.O.1) and the Accused Officer was sentenced to undergo rigorous imprisonment for one year and also to pay a fine of Rs.5,000/- , in default to suffer simple imprisonment for two months for the offences punishable u/s. 13 (1) (a) (d) r/w 13 (2) of the P.C. Act, 1988. The Special Judge further ordered that the seized amount of Rs.82,700/- from the possession of the A.Os. 1&2 shall be confiscated to state along with accrued interest.

3. The Hon'ble High Court of Andhra Pradesh in its orders dt. 31-01-2012 in CRLAMP.No.166 of 2012 in CRL No.90 of 2012 filed by Sri J. Suresh, Drug Inspector an interim suspension of execution of sentence of imprisonment only but not conviction passed by the Special Judge for SPE & ACB cases, Vijayawada vide orders 5th read above. In the orders 6th read above the Hon'ble Andhra Pradesh Administrative Tribunal in O.A.No.1102/2012 filed by J. Suresh the following interim orders are passed :-.

"Pending disposal of the O.A., the applicant is at liberty to make a representation before the Government and the Government is directed to pass appropriate orders according to rules, as expeditiously as possible."

4. Accordingly, the accused officer has filed representation vide reference 7th read above, before the Government requesting not to take any further action in

pursuance of conviction orders of Anti Corruption Bureau court and continue him in service till the disposal of criminal appeal in A.P.High Court .

5. Government having examined the matter, has come to the conclusion that conviction by the Court of Law has established the culpability of Sri Julapally Suresh, formerly Drug Inspector O/o. Drug Inspector, Eluru, West Godavari District (A.O.1) beyond all reasonable doubt.. The penalty to be imposed in a case of proven bribery and corruption, as per the first proviso of Rule 9 of A.P. Civil Services (CC&A) Rules 1991 is dismissal or removal from service. Accordingly, and in terms of orders issued in G.O.Ms.No. 2 G.A.(Ser.D) Dept. dt. 4.1.1999 and also orders issued in Memo.No.1621 /Spl.B/2001-1 GA(Spl.B) Dept. dt. 26.11.2001, Sri Julapally Suresh, formerly Drug Inspector O/o. Drug Inspector, Eluru, West Godavari District (A.O.1) is liable to be dismissed from service for having found guilty of the charges framed against him under Section 7 and Section 13(1)(a) r/w 13(2) of Prevention of Act 1988.

6. Now therefore, in exercise of the powers under clause X of Rule 9 of A.P. Civil Services (CC&A) Rules 1991 , Government hereby dismiss Sri Julapally Suresh, formerly Drug Inspector O/o. Drug Inspector, Eluru, West Godavari District from service with immediate effect.

7. The Director General, Drugs and copyright, Drugs Control Administration , Hyderabad shall take necessary further action in the matter.

8. The following notification will be published in the extra ordinary issue of A.P.Gazette.

NOTIFICATION

Under clause X of Rule 9 of A.P. Civil Services (CC&A) Rules 1991 , Government hereby dismiss Sri Julapally Suresh, Drug Inspector formerly at O/o. Drug Inspector, Eluru, West Godavari District from service with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY SAWHNEY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Julapally Suresh, Drug Inspector formerly at O/o. Drug Inspector, Eluru,
West Godavari District through the Director General, Drugs Control
Administration, Hyderabad.

The Director General, Drugs Control Administration, Hyderabad.

The Commissioner, Printing Stationary & Stores Purchases (ptg wing) Department
with a request to publish the above notification in the Gazette and furnish a copy
of the same for record.

Copy to

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner, A.P. Vigilance Commissioner, hyd.

Sf/Sc .

// FORWARDED :: BY ORDER //

SECTION OFFICER